

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

JOSEPH PITTS,
#A0259019,

Plaintiff,

v.

SCOTT HARRINGTON, *et al.*,

Defendants.

CIVIL NO. 21-00249 DKW-KJM

ORDER GRANTING APPLICATION
TO PROCEED IN FORMA
PAUPERIS BY A PRISONER

Before the court is Plaintiff's Application to Proceed In Forma Pauperis by a Prisoner ("Application"). ECF No. 2. Plaintiff qualifies as a pauper, and his Application is GRANTED. *See* 28 U.S.C. § 1915(a)(1). Plaintiff is obligated to pay the full filing fee regardless of the outcome of this suit. *See* 28 U.S.C. §§ 1915(b)(1) & (e)(2). Plaintiff shall pay an initial partial filing fee of 20% of the greater of: (1) the average monthly deposits to his account; or (2) the average monthly balance in his account for the six-month period immediately preceding the filing of the Complaint. 28 U.S.C. § 1915(b)(1). Thereafter, Plaintiff shall make monthly payments equaling 20% of the preceding month's income credited to his account, when the amount in his account exceeds \$10.00, until the \$350.00 civil filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

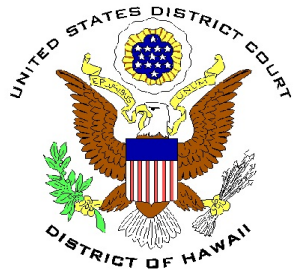
IT IS HEREBY ORDERED that:

(1) The Hawaii Department of Public Safety or its designee the Warden of the Halawa Correctional Facility (“HCF”), shall calculate, collect, and remit to the Clerk of Court an initial partial payment equaling 20% of Plaintiff’s average monthly balance or average monthly deposits to his account, whichever is greater. Thereafter, the Warden or designee shall collect monthly payments equaling 20% of Plaintiff’s preceding month’s income when the account exceeds \$10.00, until the \$350.00 filing fee is paid in full. *See* 28 U.S.C. § 1915(b)(2). These payments must be identified by the name and number assigned to this action.

(2) The Clerk is directed to serve a copy of this order on Plaintiff, the HCF Warden and Financial Office, Laurie Nadamoto, Esq., and Shelley Nobriga Harrington, Esq., Department of Public Safety Litigation Coordinators, and submit a copy of this order to the District of Hawaii’s Financial Department.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, May 27, 2021.



/s/ Derrick K. Watson
Derrick K. Watson
United States District Judge

Joseph Pitts v. Scott Harrington, et al.; Civ. No. 21-00249 DKW-KJM; **ORDER GRANTING APPLICATION TO PROCEED IN FORMA PAUPERIS BY A PRISONER**